

NIXON VANDERHYE PC Fax 703+816+4100 Sep 6 2007 02:17pm P001/007  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. SCS-124-1134

**FACSIMILE CERTIFICATE**

JENKINS et al.

C# M#

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on September 6, 2007, specifically to 571-273-8300.

Serial No. 10/549,817

TC/A.U.: 2883

Examiner: J. Blevins

Filed: September 19, 2005

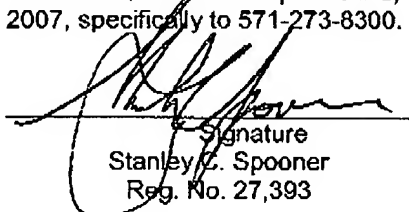
Date: September 6, 2007

Title: OPTICAL WAVELENGTH DIVISION MULTIPLEXER/DEMULTIPLEXER DEVICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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SEP 06 2007

  
Signature  
Stanley C. Spooner  
Reg. No. 27,393

No. of pages transmitted (including this cover sheet): 7 pages

Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s).

\$500.00 (1401)/\$250.00 (2401) \$ 500.00

☐ An appeal BRIEF is attached in the pending appeal of the above-identified application

\$500.00 (1402)/\$250.00 (2402) \$

☐ Credit for fees paid in prior appeal without decision on merits

-\$ ( )

☐ A reply brief is attached in triplicate under Rule 41.41

(no fee)

☒ Pre-Appeal Brief Request for Review form attached.

09/07/2007 PC/UMP 00000005 141140 10549817  
01 FC:1401 300.00 \$

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)  
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)  
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)  
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

(less \$120.00 one-month extension fee previously paid)

☐ "Small entity" statement attached.

Less month extension previously paid on

-\$ ( )

**TOTAL FEE ENCLOSED \$ 500.00**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge the above-noted fee(s), any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 